IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 11TH SEPTEMBER 2007 / 20TH BHADRA 1929

WP(C).No. 4035 of 2007(E)

PETITIONER:

K.S.SAJI, S/O.K.V.SANKARANARAYANAN,
AGED 35 YEARS, KUTTIKKATTIL HOUSE,
UMA NAGAR, KALATHODE, THRISSUR DISTRICT.

BY ADV. SRI.JIJO PAUL

RESPONDENTS:
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1. THE DISTRICT COLLECTOR,
THRISSUR.

2. THE REVENUE DIVISIONAL OFFICER,
THRISSUR.

3. THE SPECIAL TAHSILDAR (LA),
N.H.D.P. UNIT, NO.III, THRISSUR-20.

BY G.P. SRI. C.K. GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE ORDER NO. K.DIS. 4619/05/CI DATED 23.4.2005 OF THE SECOND RESPONDENT.

EXT.P2 TRUE COPY OF THE ORDER NO. GI 25396/05/ DSATED 15.11.2005 OF THE FIRST RESPONDENT.

EXT.P3 TRUE COPY OF THE ORDER OF THE SECOND RESPONDENT AS NO. K.DIS. 8270/2005/C1 DATED 24.3.2006.

EXT.P4 TRUE COPY OF THE MEMORANDUM OF REVISION DATED 4.4.2006 FILED BY THE PETITIONER BEFORE THE FIRST RESPONDENT.

EXT.P5 TRUE COPY OF THE COMMUNICATION ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER AS NO. G1-19516/06 DATED 28.6.2006

EXT.P6 TRUE COPY OF THE ORDER OF THE FIRST RESPONDENT.

EXT.P7 TRUE COPY OF THE COMMUNICATION ISSUED BY THE THIRD RESPONDENT TO THE PETITIONER DATED 28.6.2006

RESPONDENTS' EXHIBITS: NIL.

TRUE COPY

P.S. TO JUDGE.

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 4035 OF 2007

Dated this the 11th day of September, 2007

JUDGMENT

Petitioner's grievance is that building tax is being recovered in respect of building which is subject matter of acquisition proceedings. Petitioner has already paid three instalments. In the circumstances, W.P. is disposed of directing the respondents to withhold recovery of balance building tax from the petitioner for a period of three months from now. In between if acquisition does not take place petitioner will clear the entire building tax and it is open to the petitioner to claim tax amount also along with compensation. If acquisition is complete by then , petitioner will not be liable to pay balance.

(C.N.RAMACHANDRAN NAIR)
Judge